

CHAPTER 114

REGULATION OF SURFACE MINING

S. F. 279

AN ACT to require licensing of mining operators, to regulate surface mining, and relating to rehabilitation of land affected by surface mining.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. It is hereby declared to be the policy of this state to provide for the rehabilitation and conservation of land affected by surface mining and thereby to preserve natural resources, protect and perpetuate the taxable value of property, and protect and promote the health, safety and general welfare of the people of this state.

SEC. 2. When used in this Act, unless the context otherwise requires:

1. "Overburden" means all of the earth and other materials which lie above natural deposits of coal, gypsum, clay, stone, sand, gravel or other minerals, and includes all earth and other materials disturbed from their natural state in the process of surface mining.

2. "Surface mining" means the mining of coal, gypsum, clay, stone, sand, gravel or other ores or mineral solids for sale or for processing or consumption in the regular operation of a business by removing the overburden lying above natural deposits thereof and mining directly from the natural deposits thereby exposed, or by mining directly from deposits lying exposed in their natural state. Removal of overburden and mining of limited amounts of any ores or mineral solids shall not be considered surface mining when done only for the purpose and to the extent necessary to determine the location, quantity, or quality of any natural deposit, so long as no ores or mineral solids removed during exploratory excavation or mining are sold, processed for sale, or consumed in the regular operation of a business.

3. "Operator" means any person, firm, partnership, or corporation engaged in and controlling a surface mining operation but shall not include a political subdivision of the state of Iowa.

4. "Active site" means a site where surface mining is being conducted.

5. "Inactive site" means a site where surface mining is not being conducted but where overburden has been disturbed in the past for the purpose of conducting surface mining and an operator anticipates conducting further surface mining operations in the future.

6. "Pit" means a tract of land from which overburden has been or is being removed for the purpose of surface mining.

7. "Affected land" means the area of land from which overburden has been removed or upon which overburden has been deposited or both.

8. "Spoil bank" means overburden removed from its natural position and deposited elsewhere in the process of surface mining.

9. "Ridge" means a lengthened elevation of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

38 10. "Peak" means a projecting point of overburden removed from
39 its natural position and deposited elsewhere in the process of surface
40 mining.

41 11. "Irregular spoil bank" means a spoil bank characterized by
42 ridges, peaks, or both, rather than by a continuous slope, when viewed
43 horizontally.

44 12. "Department" means the department of mines and minerals.

45 13. "Board" means the state mining board.

46 14. "Advisory board" means the "land rehabilitation advisory
47 board" in the department of mines and minerals.

48 15. "Inspector" means the state mine inspector and any other em-
49 ployee of the department of mines and minerals responsible for ad-
50 ministration or enforcement of this Act.

1 SEC. 3. There is hereby established within the department of
2 mines and minerals a land rehabilitation advisory board which shall
3 consist of eight (8) members appointed by the governor, as follows:

4 1. The state forester or a member educated and experienced in the
5 field of forestry.

6 2. The state geologist or a member educated and experienced in the
7 field of geology.

8 3. One (1) member educated and experienced in the field of agron-
9 omy.

10 4. One (1) member representing the state conservation commis-
11 sion.

12 5. One (1) member representing the Iowa natural resources coun-
13 cil.

14 6. One (1) member representing the state soil conservation com-
15 mittee.

16 7. Two (2) members representing Iowa surface mining operators.
17 The state association or groups representing each of the industries
18 engaged in surface mining in Iowa, or their managing boards, may
19 jointly submit to the governor in each year when an industry repre-
20 sentative is to be appointed a list of two (2) or more persons qualified
21 for the appointment. If a list is submitted, the governor shall appoint
22 to the advisory board at least one (1) of the persons named on the list.

23 Members of the advisory board may at any time request representa-
24 tives of any federal, state, local, or private agency or group to serve
25 in a consulting capacity with the advisory board.

1 SEC. 4. Members of the advisory board shall serve for terms of
2 three (3) years but the terms of the eight (8) initial appointees shall
3 be as follows:

4 1. Two (2) members shall serve from the date of appointment until
5 June 30, 1968.

6 2. Three (3) members shall serve from the date of appointment
7 until June 30, 1969.

8 3. Three (3) members shall serve from the date of appointment
9 until June 30, 1970.

10 Vacancies on the advisory board shall be filled for the unexpired
11 term of the vacancy in the same manner as the original appointment.
12 Members of the advisory board shall serve without compensation but
13 shall be allowed actual and necessary expenses while engaged in offi-

14 cial duties upon certification of the chairman of the advisory board to
15 the state mining board.

1 SEC. 5. Prior to August 1 of each year, the advisory board shall
2 meet and organize and shall elect a chairman and such other officers
3 as advisory board members shall deem necessary. The chairman shall
4 be responsible for calling meetings of the advisory board. Advisory
5 board meetings shall be held at least quarterly and at such other times
6 as the chairman of the advisory board or the chairman of the state
7 mining board deems necessary or upon the request of four (4) or
8 more advisory board members.

1 SEC. 6. The advisory board shall:

2 1. Advise the state mining board on any matter relating to admin-
3 istration and enforcement of this Act.

4 2. Advise the state mining board with respect to surface mined land
5 rehabilitation demonstration projects.

6 3. Advise the state mining board on the gathering, preparation, and
7 dissemination of information on methods of rehabilitating land which
8 has been surface mined and on any state, federal, or other financial
9 assistance which may be available to assist in paying the cost of re-
10 habilitation of the land.

11 4. Present to the Sixty-third (63rd) General Assembly not later
12 than January 1, 1969 a summary of information on:

13 a. The number of acres of land affected by surface mining in Iowa
14 prior to January 1, 1968 and the number of acres of land so affected
15 where surface mining operations had ceased prior to January 1, 1968
16 and are not likely to be resumed in the future.

17 b. The extent to which acceptable rehabilitation measures have been
18 carried out on land in Iowa affected by surface mining operations
19 which ceased prior to January 1, 1968 and are not likely to be resumed
20 in the future, and the possibility, practicability, and probable cost of
21 rehabilitating the balance of Iowa land so affected.

22 c. Recommendations for any legislation believed necessary to en-
23 courage or assist the rehabilitation of Iowa land affected by surface
24 mining operations which ceased prior to January 1, 1968 and are not
25 likely to be resumed in the future.

26 5. Prepare and present to the General Assembly, not later than
27 January 1, 1973, a report on the extent of successful revegetation of
28 land in Iowa rehabilitated pursuant to this Act and recommendations
29 for any legislation believed necessary to encourage and assist re-
30 vegetation of surface mined land.

1 SEC. 7. No person, firm, partnership, or corporation shall engage
2 in surface mining as defined by this Act or operation of an under-
3 ground mine or mines, as defined by section eighty-two point twenty-
4 seven (82.27) of the Code without first obtaining a license from the
5 department. Licenses shall be issued upon application submitted on a
6 form provided by the department and shall be accompanied by a fee
7 of fifty (50) dollars. Each applicant shall be required to furnish on
8 the form information necessary to identify the applicant. Licenses
9 shall expire one (1) year from date of issuance and shall be renewed
10 by the department upon application submitted within thirty (30) days

11 prior to the expiration date and accompanied by a fee of ten (10)
12 dollars.

1 SEC. 8. The department may, with approval of the board, com-
2 mence proceedings to suspend, revoke, or refuse to renew a license of
3 any licensee for repeated or willful violation of any of the provisions
4 of this Act or of chapters eighty-two (82) or eighty-three (83) of the
5 Code. The department shall by certified mail or personal service serve
6 on the licensee notice in writing of the charges and grounds upon
7 which the license is to be suspended, revoked, or will not be renewed.
8 The notice shall include the time and the place at which a hearing shall
9 be held before the board to determine whether to suspend, revoke, or
10 refuse to renew the license. The hearing shall be not less than fifteen
11 (15) nor more than thirty (30) days after the mailing or service of
12 the notice.

1 SEC. 9. Any licensee whose license the department proposes to
2 suspend, revoke, or refuse to renew shall have the right to counsel and
3 may produce witnesses and present statements, documents, and other
4 information in his behalf at the hearing. If after full investigation
5 and hearing the licensee is found to have willfully or repeatedly vio-
6 lated any of the provisions of this Act or of chapters eighty-two (82)
7 or eighty-three (83) of the Code, the board may affirm or modify the
8 proposed suspension, revocation, or refusal to renew the license.
9 When the board finds that a license should be suspended or revoked or
10 should not be renewed, the department shall so notify the licensee in
11 writing by certified mail or by personal service.

1 SEC. 10. Suspension or revocation of a license shall become effec-
2 tive thirty (30) days after the mailing or service of notice to the
3 licensee. When the department proposes to deny an application for
4 renewal of a license and administrative proceedings relevant to the
5 renewal application are pending or in progress on the date the license
6 is to expire, the license shall remain in force until the proceedings
7 have been completed if the licensee has paid the renewal fee. If the
8 board finds the license should not be renewed, the renewal fee shall
9 be refunded and the license shall expire on the expiration date or
10 thirty (30) days after mailing or service of notice to the licensee,
11 whichever is later.

1 SEC. 11. A licensee may, within the thirty (30) day period follow-
2 ing notice that his license has been suspended, revoked, or will not be
3 renewed, file a notice of appeal in the district court. An appeal under
4 this section shall operate to stay the suspension or revocation of a
5 license or the expiration of an unexpired license pending final deci-
6 sion of the appeal. A copy of the notice of appeal shall also be served
7 upon the department, which shall within thirty (30) days after re-
8 ceipt of the notice certify and file with the court a copy of the record
9 and decision including the transcript of the hearings on which the
10 revocation, suspension, or refusal to renew the license was based.

1 SEC. 12. The trial before the court shall be an equity action and
2 legal evidence pertaining to the issue of whether the license shall be
3 suspended, revoked, or renewed may be submitted including new or

4 additional evidence not submitted to the department. The court shall
5 have the power to affirm, modify, or reverse the decision of the depart-
6 ment. The clerk of court upon entry of judgment of suspension, revo-
7 cation, or refusal to renew the license shall immediately forward to
8 the department a certified copy thereof.

1 SEC. 13. Within fifteen (15) days after beginning removal of
2 overburden at any site not previously registered, an operator engaging
3 in surface mining in this state shall register the site with the depart-
4 ment. Application for registration shall be made upon a form pro-
5 vided by the department. The application shall include a description
6 of the tract or tracts of land where the site is located and the esti-
7 mated number of acres at the site to be affected by surface mining.
8 The description shall include the section, township, range, and county
9 in which the land is located and shall otherwise describe the land with
10 sufficient certainty to determine the location and to distinguish the
11 land to be registered from other lands. The application shall include
12 a statement explaining the source of the applicant's legal right to
13 conduct surface mining on the land.

1 SEC. 14. Each application for registration shall be accompanied
2 by a bond or security as required under sections twenty-three (23) or
3 twenty-four (24) of this Act and a registration fee which shall be
4 established by the department in an amount equal to but not greater
5 than the cost of administering the registration provisions of this Act,
6 as estimated by the department. After ascertaining that the applicant
7 is licensed under section seven (7) of this Act and is not in violation
8 of this Act with respect to any site previously registered with the
9 department, the department shall register the site and shall issue the
10 applicant written authorization to conduct surface mining on the site.

1 SEC. 15. An operator may at any time apply for amendment or
2 cancellation of registration of any site. The application for amend-
3 ment or cancellation of registration shall be submitted by the operator
4 on a form provided by the department and shall identify as required
5 under section thirteen (13) of this Act the tract or tracts of land to
6 be added to or removed from registration. If the application is for
7 an increase in the area of a registered site, the application shall be
8 processed in the same manner as an application for original registra-
9 tion. If the application is to cancel registration of any or all of the
10 unmined part of a site, the department shall after ascertaining that
11 no overburden has been disturbed or deposited on the land order re-
12 lease of the bond or the security posted on the land being removed
13 from registration and cancel or amend the operator's written authori-
14 zation to conduct surface mining on the site. Fees for amendment or
15 cancellation of registration shall be determined as provided in section
16 fourteen (14) of this Act. No land where overburden has been dis-
17 turbed or deposited shall be removed from registration or released
18 from bond or security under this section.

1 SEC. 16. If control of an active site or the right to conduct any
2 future mining at an inactive site is acquired by an operator other than
3 the operator holding authorization to conduct surface mining on the
4 site, the new operator shall within fifteen (15) days apply for regis-

5 tration of the site in the new operator's name. The application shall
6 be made and processed as provided under sections thirteen (13) and
7 fourteen (14) of this Act. The former operator's bond or security
8 shall not be released until the new operator's bond or security has
9 been accepted by the department.

1 SEC. 17. Every operator authorized under this Act to engage in
2 surface mining on a site where mining operations disturb overburden
3 containing acid-forming materials shall, when feasible, avoid placing
4 on the surfaces of spoil banks any materials likely to form acid in
5 amounts which will prevent or impede establishment of desirable
6 vegetation on the spoil banks. After completion of mining operations
7 the operator shall within the time specified in section nineteen (19)
8 of this Act:

9 1. Grade irregular spoil banks to reduce peaks and ridges to a roll-
10 ing topography suitable for establishment of desirable vegetation by
11 striking off ridges and peaks to a width of at least twenty-four (24)
12 feet at the top.

13 2. Grade spoil banks other than irregular spoil banks to slopes hav-
14 ing a maximum of one (1) foot of vertical rise for each three (3) feet
15 of horizontal distance except that where the original topography of
16 the affected land was steeper than one (1) foot of vertical rise for
17 each three (3) feet of horizontal distance, the spoil bank shall be
18 graded to blend with the surrounding terrain.

19 3. Construct an earth dam in the final cut at any site where a lake
20 or pond may be formed if necessary to properly control drainage from
21 the site and if formation of a lake will not interfere with underground
22 or other mining operations or damage adjoining property.

23 4. Cover, with at least two (2) feet of earth or spoil material,
24 acid-forming materials present in a mineral seam exposed by mining
25 operations if the exposed acid-forming materials are not covered by
26 impounded water.

27 A bond or security posted under this Act to assure rehabilitation
28 of land affected by surface mining shall not be released until all re-
29 habilitation work required by this section has been performed to the
30 department's satisfaction, except when a replacement bond or secu-
31 rity is posted by a new operator under section sixteen (16) of this
32 Act.

1 SEC. 18. Every operator shall file with the department a periodic
2 report for each site under registration indicating whether the site is
3 presently active or inactive. Each report shall make reference to the
4 most recent registration of the site and shall show:

5 1. The location and extent of all land on the site affected by surface
6 mining during the period covered by the report.

7 2. The extent to which removal of mineral products from all or any
8 part of the affected land has been completed.

9 A report as prescribed by this section shall be filed not later than
10 twelve (12) months after original registration of the site and prior
11 to the expiration of each subsequent twelve (12) month period there-
12 after. A report shall also be filed within thirty (30) days after com-
13 pletion of all surface mining operations at the site regardless of the
14 date of the last preceding report. Forms on which periodic reports

15 required by this section shall be filed shall be provided by the depart-
16 ment.

1 SEC. 19. An operator of a surface mine shall rehabilitate land
2 affected by surface mining within twenty-four (24) months after the
3 filing of a report required under section eighteen (18) of this Act
4 indicating the mining of any part of a site has been completed. Each
5 operator, upon completion of any rehabilitation work required by
6 section seventeen (17) of this Act, shall apply to the department in
7 writing for approval of the work. The department shall within a
8 reasonable time determined by departmental rule inspect the com-
9 pleted rehabilitation work. Upon determination by the department
10 that the operator has satisfactorily completed all required rehabili-
11 tation work on the land included in the application, the department
12 shall release the bond or security on the rehabilitated land, shall re-
13 move the land from registration, and shall terminate or amend as
14 necessary the operator's authorization to conduct surface mining on
15 the site.

1 SEC. 20. The time for completion of rehabilitation work may be
2 extended upon presentation by the operator of evidence satisfactory
3 to the department that rehabilitation of affected land cannot be com-
4 pleted within the time specified by section nineteen (19) of this Act
5 without unreasonably impeding removal of mineral products from
6 other parts of an active site or future removal of mineral products
7 from an inactive site.

1 SEC. 21. Any political subdivision of the state of Iowa which
2 engages or intends to engage in surface mining shall meet all require-
3 ments of sections thirteen (13) through twenty (20) of this Act
4 except the subdivision shall not be required to post bond or security
5 on registered land. When a political subdivision engaging in surface
6 mining violates any provision of this Act or any rule or regulation
7 adopted by the department pursuant to this Act, the department shall
8 notify the chief administrative officer or governing body of the sub-
9 division. If after a reasonable time determined by the department,
10 the subdivision has not commenced corrective measures approved by
11 the department, the violation shall be referred to the board. The chief
12 administrative officer or governing body of the subdivision shall be
13 notified in writing of the referral.

1 SEC. 22. Upon receipt of the referral, the board shall schedule a
2 hearing on the violation by the political subdivision within thirty (30)
3 days after the date of receipt. The board shall upon written request
4 from the chief administrative officer or governing board afford repre-
5 sentatives of the subdivision the right to appear before the board at
6 the hearing. Representatives of the subdivision shall have the right
7 to counsel, and may produce witnesses and present statements, docu-
8 ments, and other information with respect to the alleged violation for
9 consideration of the board at the hearing. If the board determines the
10 subdivision is in violation of any of the provisions of this Act or of
11 any rule or regulation adopted by the department pursuant to this
12 Act, the board shall request the attorney general to institute proceed-
13 ings to enjoin the subdivision from conducting further surface min-

14 ing operations until the subdivision has completed corrective measures
15 to the satisfaction of the department.

1 SEC. 23. Each bond filed with the department by an operator pur-
2 suant to this Act shall be in a form prescribed by the department,
3 payable to the state of Iowa, and conditioned upon faithful perform-
4 ance by the operator of all requirements of this Act and all rules and
5 regulations adopted by the department pursuant to this Act. The bond
6 shall be signed by the operator as principal and by a corporate surety
7 licensed to do business in Iowa as surety. In lieu of a bond, the oper-
8 ator may deposit cash or government securities with the department
9 on the same conditions as prescribed by this section for filing of bonds.
10 The amount of the bond or other security required to be filed with each
11 application for registration of a surface mining site, or to increase the
12 area of a site previously registered, shall be equal to the estimated
13 cost of rehabilitating the site as required under section seventeen (17)
14 of this Act. The estimated cost of rehabilitation of each individual
15 site shall be determined by the department on the basis of relevant
16 factors including but not limited to topography of the site, mining
17 methods being employed, depth and composition of overburden, and
18 depth of the mineral deposit being mined. The department may re-
19 quire an applicant for registration or amendment of registration of
20 a site to furnish information necessary to estimate the cost of reha-
21 bilitating the site. The penalty of the bond or the amount of cash or
22 securities on deposit may be increased or reduced from time to time
23 in accordance with section fifteen (15) of this Act.

1 SEC. 24. Any operator who registers with the department two (2)
2 or more surface mining sites may elect, at the time the second or any
3 subsequent site is registered, to post a single bond in lieu of separate
4 bonds on each site. Any single bond so posted shall be in an amount
5 equal to the estimated cost of rehabilitating all sites the operator has
6 registered, determined as provided in section twenty-three (23) of
7 this Act. The penalty of a single bond on two (2) or more surface
8 mining sites may be increased or decreased from time to time in ac-
9 cordance with sections fourteen (14), fifteen (15), and nineteen (19)
10 of this Act. When an operator elects to post a single bond in lieu of
11 separate bonds previously posted on individual sites, the separate
12 bonds shall not be released until the new bond has been accepted by
13 the department.

1 SEC. 25. No bond filed with the department by an operator pur-
2 suant to this Act may be cancelled by the surety without at least
3 ninety (90) days notice to the department. If the license to do busi-
4 ness in Iowa of any surety of a bond filed with the department is sus-
5 pended or revoked, the operator, within thirty (30) days after receiv-
6 ing notice thereof from the department, shall substitute for the surety
7 a corporate surety licensed to do business in Iowa. Upon failure of
8 the operator to make substitution of surety as herein provided, the
9 department shall have the right to suspend the operator's authoriza-
10 tion to conduct surface mining on the site covered by the bond until
11 substitution has been made. The commissioner of insurance shall
12 notify the department whenever the license of any surety to do busi-
13 ness in Iowa is suspended or revoked.

1 SEC. 26. An inspector may enter at all times upon any lands on
2 which any operator is authorized to conduct surface mining for the
3 purpose of determining whether the operator is or has been complying
4 with the provisions of this Act. The department shall give written
5 notice to any operator who violates any of the provisions of this Act
6 or any rules and regulations adopted by the department pursuant to
7 this Act. If corrective measures approved by the department are not
8 commenced within ninety (90) days, the violation shall be referred to
9 the board. The operator shall be notified in writing of the referral.

1 SEC. 27. Upon receipt of the referral, the board shall schedule a
2 hearing on the violation by the operator within thirty (30) days after
3 the date of receipt. The board shall upon written request afford the
4 operator the right to appear before the board at the hearing. The
5 operator shall have the right to counsel, and may produce witnesses
6 and present statements, documents, and other information with re-
7 spect to the alleged violation. If the board determines that the oper-
8 ator is in violation of this Act or of any rule or regulation adopted by
9 the department pursuant to this Act, the board shall request the at-
10 torney general to institute bond forfeiture proceedings.

1 SEC. 28. The attorney general, upon request of the board, shall
2 institute proceedings for forfeiture of the bond posted by an operator
3 to guarantee rehabilitation of a site where the operator is in violation
4 of any of the provisions of this Act or any rule or regulation adopted
5 by the department pursuant to this Act. Forfeiture of the operator's
6 bond shall fully satisfy all obligations of the operator to rehabilitate
7 affected land covered by the bond. The department shall have the
8 power to rehabilitate as required by section seventeen (17) of this
9 Act any surface mined land with respect to which a bond has been
10 forfeited, using the proceeds of the forfeiture to pay for the necessary
11 rehabilitation work.

1 SEC. 29. Any operator who fails to make timely application for
2 registration of each site where surface mining is being conducted is
3 guilty of a misdemeanor and on conviction shall be punished by a fine
4 of not less than fifty (50) dollars nor more than five hundred (500)
5 dollars or by imprisonment not to exceed thirty (30) days, or both
6 such fine and imprisonment. Each day surface mining activities are
7 conducted at a site for which no application for registration has been
8 made as required under section thirteen (13) of this Act shall con-
9 stitute a separate violation.

1 SEC. 30. Section eighty-two point one (82.1), Code 1966, is hereby
2 amended by adding the following subsections:

3 1. "To adopt rules and regulations in conformity with the mining
4 laws of the state."

5 2. "To conduct or arrange for, by contract or otherwise, demonstra-
6 tion projects relating to rehabilitation of land affected by surface
7 mining prior to January 1, 1968, to the extent state, federal, or other
8 funds are available for the purpose."

9 3. "To gather, prepare, and make available to owners of land which
10 has been surface mined and to other interested persons information
11 on methods of rehabilitating the land and on any state, federal, or

12 other financial assistance which may be available to assist in paying
13 the cost of rehabilitation of the land."

1 SEC. 31. Section eighty-two point seven (82.7), Code 1966, is
2 hereby amended by adding thereto the following:

3 "The governor may, upon the recommendation of the state mining
4 board and the land rehabilitation advisory board, appoint to the staff
5 of the department one (1) or more persons with professional compe-
6 tence in the area of surface mined land rehabilitation who shall serve
7 at the pleasure of the governor."

1 SEC. 32. Section eighty-two point twenty-seven (82.27), Code
2 1966, is hereby amended by striking all of such section after the word
3 "chapter" in line five (5) and inserting in lieu thereof the words
4 "means any underground mine opened for the purpose of removing
5 any ores or mineral solids for commercial purposes."

1 SEC. 33. Sections seven (7) and thirteen (13) of this Act shall
2 take effect January 1, 1968. Operators shall be allowed sixty (60)
3 days to complete registration of all active and inactive sites in exist-
4 ence on January 1, 1968.

Approved April 13, 1967.

CHAPTER 115

WORKMEN'S COMPENSATION

S. F. 508

AN ACT to amend section eighty-five point sixty-one (85.61), Code 1966, relating to workmen's compensation so as to include executive corporate officers within the definition of "workman" or "employee".

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section eighty-five point sixty-one (85.61), subsection
2 two (2), Code 1966, is hereby amended by inserting after line four (4)
3 thereof the following: "every executive officer elected or appointed
4 and empowered under and in accordance with the charter and bylaws
5 of a corporation, including a person holding an official position, or
6 standing in a representative capacity of the employer, and including
7 officials elected or appointed by the state, counties, school districts,
8 county boards of education, municipal corporations, or cities under any
9 form of government, and including members of the Iowa highway
10 safety patrol and conservation officers".

1 SEC. 2. Section eighty-five point sixty-one (85.61), Code 1966, is
2 hereby further amended by striking all of subparagraph c of subsec-
3 tion three (3) thereof.

Approved June 8, 1967.